

**State of Rhode Island and Providence Plantations  
DEPARTMENT OF BUSINESS REGULATION  
1511 Pontiac Avenue, Bldg. 68-2  
Cranston, Rhode Island 02920**

**Division of  
Design Professionals STATE BOARD OF REGISTRATION FOR  
PROFESSIONAL LAND SURVEYORS  
MINUTES OF THE MEETING OF THE BOARD**

**DATE: 10 September 2013**

**PLACE: 1511 Pontiac Avenue, Building 69-1 Conference Room,  
Cranston, RI**

**MEMBERS PRESENT: Chair John Mensinger, Vice-Chair Richard S.  
Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and  
Member Curtis M. Johnson**

**OTHERS PRESENT: Mrs. Lois Marshall, Administrative Assistant  
Attorney Neena Sinha Savage, DBR Chief of Legal Services  
(Present 1:50 p.m. to 2:05 p.m.)**

**CALLED TO ORDER: Chairman Mensinger called the meeting to order  
at 1:09 p.m.**

## **A. MEETING MINUTES (Review/Discuss/Take Action)**

Vice Chairman Lipsitz made a motion to approve the Regular Meeting Minutes of 13 August 2013. Member Curtis Johnson seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.

## **B. EXECUTIVE SESSION**

(1) Because of the nature of the following items, Member Curtis moved to convene into Executive Session at 1:10 p.m. pursuant to RI General Laws, §42-46-5(a)(2), for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.

(2) Member Johnson moved to adjourn from Executive Session and to reconvene to an open meeting at 1:38 p.m. pursuant to RI General Laws §42 46-4. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.

(3) Member Johnson moved to seal the executive session and record

**the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.**

**(4) Member Johnson moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: Motions were made to continue the following agenda items, C, D, and to close agenda item B (C12-LS-4) Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.**

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**(5) Member Johnson moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.**

**(6) In Executive Session pending matters, there are two (2) pending**

**matters, comprised of two (2) investigative matters with one (1) recusals.**

**(7) Member Johnson moved to approve and seal the Executive Session Meeting Minutes of September 10, 2013 as published. Member Cotta seconded. Motion passed; five in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.**

#### **C. CORRESPONDENCE (Review/Discuss/Take Action)**

**(1) Correspondence received from Rhode Island Society of Professional Surveyors.**

**So noted and filed.**

#### **D. OLD BUSINESS (Review/Discuss/Take Action)**

**(1) Joint Informational Bulletin**

**The Board is awaiting a response from Chairman Duhamel of the Board Registration for Professional Engineers.**

**(2) Professional Development Hours (PDH) Approval Requests**

**None at this time.**

**(3) National Council of Examiners for Engineers and Surveyors (NCEES)**

- 2013 NCEES Annual meeting.**

- **Member Cotta and Johnson, attendees of the 2013 NCEES Annual Meeting, gave a report to the Board. One of the highlights of the annual meeting was the number of votes allocated each Member Board. The number of votes is not allocated by the number of registrant but rather by whether or not the state has individual or separate Board. There was also further discussion on the agenda item introduced last year by the Board regarding engineering surveys. David Widmer, PLS from the Pennsylvania Board is the new President-Elect for NCEES.**

#### **(4) Rules and Regulations**

**Attorney Savage explained to the Board that she was working on new legislation passed and reviewing the current draft Rules and Regulations to be certain that they conform. Attorney Savage will be preparing the public notice. Chairman Mensinger will forward a copy of the Board's draft Rules and Regulations to the RISPLS for posting on the society's website with a preamble stating that these are draft Rules and Regulations.**

#### **(5) 2014 Legislation**

**Vice Chairman Lipsitz is continues to have a discussion with officials at the Building Code Commissions regarding 2013 legislation.**

#### **(6) PLS Examination**

- **Exam Database**

**Member Cotta is moving forward with the conversion of the Rhode**

**Island portion of the PLS exam database to a digitalized format. He is in the process of codifying the format.**

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**(7) Municipal Official's and State Regulatory Acceptance of Improper Plans**

- Follow-up on Letter to State Building Code Commissioner as a result from the Annual Building Officials Meeting**

**Chairman Mensinger informed the Board that the Building Code matter is ongoing.**

- Rhode Island Department of Transportation Plan Conformance**  
**Secretary McCormick informed the Board that this matter is ongoing.**

**(9) Any other Old Business**

**There is no old business at this time.**

**E. NEW BUSINESS (Review/Discuss/Take Action)**

**(1) Any Other New Business**

**There is no other new business.**

## **(2) Comments from the General Public**

**None at this time.**

### **F. Applications (Review/Discuss/Take Action)**

#### **(1) Certificate(s) of Authorization (COA) Application(s)**

##### **(A) Land Surveyor-in-Training/Professional Land Surveyor (LSIT/PLS) Application(s) by Examination and Comity**

###### **(A) Normand Thomas Gamache, Jr.**

**Vice Chairman Lipstiz moved to allow Mr. Gamache, Jr, Jr. to retake for the Rhode Island Portion Exam and to conditional approve Mr. Babcock to sit for the Rhode Island Portion Exam provided he submits missing verifications by October 1, 2012. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.**

### **G. Next Meeting 8 October Adjournment**

**Vice Chairman Lipstiz moved to adjourn the meeting at 2:45 p.m. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.**

**Posted on 10 October 2013 electronically on Secretary of State's Office website; pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.**

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